IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 878 of 2004

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

DAHYABHAI SHANKERDAS PATEL - Petitioner(s)

Versus

DISTRICT DEVELOPMENT OFFICER & 1 - Respondent(s)

==========

Appearance :

MR PRAKASH K JANI for Petitioner(s) : 1,
MR HS MUNSHAW for Respondent(s) : 1,
MR SIRAJ GORI AGP for Respondent(s) : 2,

==========

CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 17/11/2005

ORAL JUDGMENT

1. In the present petition, the petitioner who was holding the charge of the Sarpanch of Kansa Gram

Panchayat has challenged his suspension order passed by the authorities. Subsequently for some other reason, the petitioner came to be removed from the position of Sarpanch. His removal was challenged by the petitioner before this Court in Special Civil Application No. 858/2004. By separate order Special Civil Application No. 858/2004 has been dismissed by this Court today. In view of the result in Special Civil Application No. 858/2004 by which removal of the petitioner is upheld by this Court, question of legality of suspension of the petitioner has lost its significance. The petition is, therefore, disposed of accordingly. Rule is discharged with no order as to costs.

(Akil Kureshi, J.)

smita/